IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3121 OF 1984

Indian Overseas Bank ..Plaintiffs

Vs.

Ceekay Automotive Products Ltd.& Ors..Defendants

Ms.Nina Kapadia i/b Pandya Gandhi and Co. for the plaintiffs

Ms.Shweta Patrawala i/b Divya Shah Associates for the defendant no.1

None for the defendant nos.2 to 5

CORAM : S.U.KAMDAR, J
DATED : 21ST FEBRUARY, 2006

P.C.:

. By consent of the parties, the following order is passed:

1. There shall be decree on admission as prayed in favour of the the plaintiffs and against all the defendants. However, the said decree to be marked ’satisfied’ on payment of Rs.80,000/- by the defendant no.1. The amount to be paid by the defendant no.1 in four equal monthly instalments

commencing from 15.3.06 and on the 15th of each succeeding month. In an event of any two defaults or default in payment of last instalment, plaintiff will be entitled to execute decree as prayed.

2. In so far as defendant no.2 to 5 are concerned, they have not filed any written statement and none appears for the defendant nos.2 to 5 and therefore, decree is also passed as against defendant nos.2 to 5. In an event, if the amount is fully received from defendant no.1 then the plaintiffs shall not execute decree as against defendant nos.2 to 5. Suit disposed of accordingly. Refund of court fee as per rules.